STAND. COM. REP. NO. 754

Honolulu, Hawaii

March 6

, 2015

RE: H.B. No. 1273 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1273, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY,"

begs leave to report as follows:

The purpose of this measure is to authorize construction of hydroelectric facilities on agricultural lands, subject to certain conditions.

The Department of Agriculture, a Member of the Kaua'i County Council, and a few individuals testified in support of this measure. The Hawai'i Farm Bureau Federation testified in support of the intent of this measure. An individual testified in opposition to this measure. The Department of Land and Natural Resources, Department of Business, Economic Development & Tourism, and Land Use Commission provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying a five hundred kilowatt power generation limit for hydroelectric facilities on agricultural lands;
- (2) Requiring that hydroelectric facilities on agricultural lands comply with the State Water Code;

- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

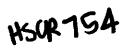
Your Committee notes that according to testimony received, setting a limitation of five hundred kilowatts will prevent agricultural operators with hydroelectric generation facilities from entering into electric utility power purchase agreements that would subvert the purpose of this measure. Therefore, the five hundred kilowatt limitation imposed by this measure, as amended, will help to ensure that permitted hydroelectric facilities are used for the actual agricultural operation itself.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1273, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1273, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ANGUS L.K. McKELVEY, Chair

State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB /273 HD/	Committee Referral: AGR, EEP, CPC Date: 03/02/15		_	
☐ The committee is reconsidering its previous decision on the measure.				
773.73				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	~			
2. WOODSON, Justin H. (VC)	/			
3. BELATTI, Della Au				/
4. BROWER, Tom				
5. CREAGAN, Richard P.	✓			
6. HAR, Sharon E.				
7. HASHEM, Mark J.	✓ ·			
8. KAWAKAMI, Derek S.K.				
9. LEE, Chris	/			
10. NAKASHIMA, Mark M.				~
11. OSHIRO, Marcus R.	V			
12. SAN BUENAVENTURA, Joy A.				
13. TAKAYAMA, Gregg	✓ /			
, 14. YAMANE, Ryan I.				/
15. FUKUMOTO CHANG, Beth	/			
16. MCDERMOTT, Bob				
7.57				:
1000				
	,			
TOTAL (16)	12			4
The recommendation is: Adopted If joint referral, committee acronym(s) Adopted did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				